



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Maurice ZAUDERER

Appl. No.: 09/966,746

Filed: October 1, 2001

For: **Method of Screening for
Therapeutics for Infectious Diseases**

Confirmation No.: 3613

Art Unit: 1648

Examiner: LUCAS, Z.

Atty. Docket: 1821.0060001/EKS/AJK

**Notice of Appeal From the Examiner to the Board
of Patent Appeals and Interferences – Large Entity**

Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450

Sir:

Applicant hereby appeals to the Board of Patent Appeals and Interferences from the final decision of the Examiner dated December 16, 2004, in which claims 1- 4, 6 and 7 were finally rejected.

The fee (for a large entity) for filing a Notice of Appeal from the Examiner to the Board of Patent Appeals and Interferences (37 C.F.R. § 41.20(b)(1)), along with any necessary extension fees (37 C.F.R. § 1.17(a)), is provided in the attached PTO-2038 Credit Card Payment Form. In the event that extensions of time under 37 C.F.R. § 1.136 other than those otherwise provided for herewith are required to prevent abandonment of this patent application, then such extensions of time are hereby petitioned.

The U.S. Patent and Trademark Office is hereby authorized to charge any fee deficiency, or credit any overpayment, to our Deposit Account No. 19-0036.

Respectfully submitted,

STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.



Andrea Jo Kamage
Attorney for Applicant
Registration No. 43,703

Date: March 16, 2005

1100 New York Avenue, N.W.
Washington, D.C. 20005-3934
(202) 371-2600



Robert Greene Sterne
Edward J. Kessler
Jorge A. Goldstein
David K.S. Cornwell
Robert W. Esmond
Tracy-Gene G. Durkin
Michele A. Cimbala
Michael B. Ray
Robert E. Sokohl
Eric K. Steffe
Michael Q. Lee
Steven R. Ludwig
John M. Covert
Linda E. Alcorn
Robert C. Millonig
Donald J. Featherstone
Lawrence B. Bugalsky
Michael V. Messinger
Judith U. Kim

Timothy J. Shea, Jr.
Patrick E. Garrett
Jeffrey T. Helvey
Heidi L. Kraus
Albert L. Ferro
Donald R. Banowitz
Peter A. Jackman
Teresa U. Medler
Jeffrey S. Weaver
Kendrick P. Patterson
Vincent L. Capuano
Eldora Ellison Floyd
Thomas C. Fiala
Brian J. Del Buono
Virgil Lee Beaton
Theodore A. Wood
Elizabeth J. Haanes
Joseph S. Ostroff
Frank R. Cottingham

Christine M. Uhler
Rae Lynn P. Guest
George S. Bardmesser
Daniel A. Klein
Jason D. Eisenberg
Michael D. Specht
Andrea J. Kamage
Tracy L. Muller
Jon E. Wright
LuAnne M. DeSantis
Ann E. Summerfield
Aric W. Ledford
Helene C. Carlson
Cynthia M. Bouchez
Timothy A. Doyle
Gaby L. Longworth
Lori A. Gordon
Nicole D. Dretar
Ted J. Ebersole

Jyoti C. Iyer
Laura A. Vogel
Michael J. Mancuso
Bryan S. Wade
Aaron L. Schwartz
Matthew E. Kelley
Nicole R. Kramer

Registered Patent Agents*
Karen R. Markowicz
Nancy J. Leith
Matthew J. Dowd
Aaron L. Schwartz
Katrina Yujian Pei Quach
Bryan L. Skelton
Robert A. Schwartzman
Teresa A. Colella
Jeffrey S. Lundgren
Victoria S. Rutherford

Michelle K. Holoubek
Simon J. Elliott
Julie A. Heider
Mita Mukherjee
Scott M. Woodhouse
Michael G. Penn
Christopher J. Walsh
Peter A. Socarras

Of Counsel
Kenneth C. Bass III
Evan R. Smith
Marvin C. Guthrie

*Admitted only in Maryland
*Admitted only in Virginia
*Practice Limited to
Federal Agencies

March 16, 2005

WRITER'S DIRECT NUMBER:
(202) 772-8543
INTERNET ADDRESS:
AKAMAGE@SKGF.COM

Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450

Art Unit 1648

Re: U.S. Utility Patent Application
Application No. 09/966,746; Filed: October 1, 2001
For: **Method of Screening for Therapeutics for Infectious Diseases**
Inventor: Maurice ZAUDERER
Our Ref: 1821.0060001/EKS/AJK

Sir:

Transmitted herewith for appropriate action are the following documents:

1. Credit Card Payment Form (PTO-2038);
2. Notice of Appeal From the Examiner to The Board of Patent Appeals and Interferences - Large Entity; and
3. Return postcard.

It is respectfully requested that the attached postcard be stamped with the date of filing of these documents, and that it be returned to our courier. In the event that extensions of time are necessary to prevent abandonment of this patent application, then such extensions of time are hereby petitioned.

The U.S. Patent and Trademark Office is hereby authorized to charge any fee deficiency, or credit any overpayment, to our Deposit Account No. 19-0036.

Respectfully submitted,

STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.

Andrea Jo Kamage

Andrea Jo Kamage
Attorney for Applicant
Registration No. 43,703

AJK/jk
Enclosures